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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/107,618	06/30/98	BLUMENAU S	E0295/7066RF

TM02/0717

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EXAMINER	
DINH,D	
ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 07/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/107,618	Applicant(s) BLUMENAU ET AL.	
	Examiner Dung Dinh	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2001* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9* .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

DETAILED ACTION

Response to Arguments

Applicant's arguments filed have been fully considered but they are moot in view of the new ground of rejection below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 2, 5, 15-17, 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. US patent 6,041,346.

As per claim 1, Chen teaches a data management method for managing access to a storage system [180] by at least two devices [network appliances 110] coupled to the storage system through a network, the method comprising the steps of:

receiving over the network at the storage system a request from one of the devices for access to a portion of data stored at the storage system [col.5 lines 16-20];

selectively servicing, at the storage system , the request responsive to configuration data indicating that the device is authorized to access the portion of data [col.5 lines 5-15, lines 25-28].

As per claim 2, Chen teaches the storage system is arranged to store a plurality of volumes of data [folder], and wherein the configuration data stored in the storage system including identifier and information indicating which volumes of data are available to a device associated with the identifier [apparent from col. 5 lines 5-15]. It is apparent that Chen request includes the identifier and the volume to be accessed [col.5 lines 17-21].

As per claim 3, Chen teaches the request is forward over a communication network [col.2 lines 60-65].

As per claim 5, Chen teaches authenticating the request at the storage system [col.5 lines 16-31].

As per claim 15, it is rejected under similar rationale as for claims 1-2 above.

As per claim 16, it is inherent that the configuration data is stored in a memory of the storage system.

As per claims 17 and 26, Chen teaches plurality of devices [network appliances and workstations].

As per claims 21-25, they are rejected under similar rationale as for claims 1-3 and 5 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

Claims 4, 9-10, 11, 14, 18, 27, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. US patent 6,041,346.

As per claims 4, 18, and 27, Chen does not teaches using Fibre Channel protocol. The specific protocol used would have been a matter of design choice. It would have been obvious for one of ordinary skill in the art to use Fibre Channel protocol because it would have provided fast data transfer.

As per claims 9-10 and 31-32, the type of device accessing the storage system would have been a matter of design choice because the type of device making the access does not changes the functionality of remotely accessing a storage system as

taught by Chen. Chen specifically disclose the device being an internet appliance. However Chen discloses that other variation is possible [col.2 lines 60-68].

As per claims 11 and 30, Chen does not specifically teaches using a plurality of disk drive. It is well known in the art to provide plural disk drives in a storage system. It would have been obvious for one of ordinary skill in the art to uses a plurality of disk drives because it would have improve reliability and increase storage capacity of the storage system.

As per claim 14, Chen does not specifically disclose precluding a second request from accessing a portion being access by a first request. However, this feature is well known in the art. It would have been obvious for one of ordinary skill in the art to do so because it would have ensured data coherency integrity of the data storage system.

Claims 13, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. US patent 6,041,346 and further in view of Wolff US patent 5,999,930.

As per claim 13, Chen does not specifically teaches the data structure of the configuration table.

In a similar field of invention, Wolff teaches access configuration table using the address of the request as index

into the configuration table [fig.3A & 3B - ID: "client A", "Client B", "Client C"] and bitmap of the index record to determine access to the volume ["logged on", "Lock Out", "Mount Access", etc.].

It would have been obvious for one of ordinary skill in the art to use similar data structure as taught by Wolf with Chen because it would have enable quick lookup while take up small amount of storage space to store the data of the configuration table.

As per claims 19-20, they are rejected under similar rationale as for claim 13 above. Wolff teaches subrecords corresponding to subset of the devices that are logged on the storage system [see fig.3B].

Claims 6-8, 12, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. US patent 6,041,346 and further in view of Russel US patent 5,455,953.

As per claims 6-8, 12 and 28-29, Chen does not specifically teaches authenticating using encrypted identifier with key associated with the device making the request. Russel teaches a method for authorizing access right and authenticating request to resource over a network using encrypted identifier with key associated with the device making the request [col.3 lines 35-50].

It would have been obvious for one of ordinary skill in the art to combine the teaching of Russel with Chen because it would have improved security and simplify the access right authenticating process.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

Box AF
Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

(703) 305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA, Fourth Floor (Receptionist).

Dung Dinh
Primary Examiner
July 15, 2001